Howth Harbour Bill.

ARRANGEMENT OF CLAUSES.

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A

BILL

FOR

The further Improvement of the Harbour of Howth.

WHEREAS by a certain Act of Parliament of the Session held in the Sixth and Seventh Years of His late Majesty King William the Fourth, Chapter Thirty-five, the Harbour of Howth, with the Appurtenances thereof, as in the said Act set forth, were respectively transferred to and made over and became vested in the Commissioners of Public Works in Ireland, and it was thereby enacted that the same should be repaired, maintained, and supported by the said Commissioners so far as should from Time to Time be authorized by the Commissioners of Her Majesty's Treasury: And whereas by a certain Act of Parliament of the Session held in the Ninth and Tenth Years of Her present Majesty, Chapter Three, being an Act to encourage the Sea Fisheries in Ireland by promoting and aiding with Grants of Public Money the Construction of Piers, Harbours, and other Works, the Commissioners of Public Works, being the Commissioners for the Execution of that Act, were empowered, with the Consent of the Commissioners of Her Majesty's Treasury, to make Advances by way of Grant to an Amount not exceeding the Sum of Fifty thousand Pounds, to be applied for the Purposes of that Act in the Manner therein provided, and subject to the Conditions therein mentioned: And

Preamble. 6 & 7 W. 4. c. 35. s. 40

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And whereas by a certain other Act of Parliament of the Session held in the Tenth and Eleventh Years of Her said Majesty, Chapter Seventy-five, the said Commissioners of Public Works were enabled to make further Advances by way of Grant for the Purposes of the said Act of the Session in the Ninth and Tenth Years of Her Majesty, Chapter Three, not exceeding the Sum of Forty thousand Pounds: And whereas the said Harbour of Howth has become an important Station and Place of Refuge for Vessels engaged in prosecuting the Sea Fisheries on the East Coast of Ireland, but the said Harbour has of late Years been gradually silting up, whereby its Value and Usefulness have been materially injured and lessened: And whereas it is expedient that the said Harbour of Howth should be deepened and otherwise improved, and that the said Commissioners, out of any Balance unapplied and available of the said Sums of Fifty thousand Pounds and Forty thousand Pounds, should be empowered to expend on the Improvement of the said Harbour a Sum of Money not exceeding the Sum of *Five thousand Pounds*, and that Provision should be made for the making of Byelaws for the Regulation of the said Harbour, and also for the Imposition of Tolls and Harbour Dues on Vessels frequenting and Goods imported into the same: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners of Public Works to advance and expend a Sum not exceeding 5,000*l.* for Improvement of the said Harbour

1. It shall be lawful for the Commissioners of Public Works in Ireland with the Consent of the Commissioners of Her Majesty's Treasury (anything in the said Acts of the Sessions held in the Ninth and Tenth and Tenth and Eleventh Years of Her said Majesty to the contrary notwithstanding), out of the Balance available of the said Sums of Fifty thousand Pounds and Forty thousand Pounds, to advance and expend upon the deepening and improving the said Harbour of Howth, and such other Works appertaining to the same as the said Commissioners of the Treasury may approve, any Sum of Money not exceeding the Sum of *Five thousand Pounds.*

Power to levy Tolls and Rates.

2. It shall and may be lawful for the Commissioners of Public Works and they are hereby authorized to levy or cause to be levied and paid for the Use of the said Harbour such Tolls and Rates, Licence Duties and Charges, as the Commissioners of Her Majesty's Treasury shall from Time to Time approve of.

A List of the Rates, Tolls, &c.

3. The said Commissioners shall cause a List, printed or painted in legible characters, of the several Rates and Tolls which the said Com-

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Commissioners shall from Time to Time direct and appoint to be taken, and which shall be payable by virtue of this Act, to be affixed on Boards in some conspicuous Place within the Limits of the said Harbour. to be affixed in conspicuous Places.

5 4. It shall be lawful for the said Commissioners, if they shall so think fit, by public Bidding, from Time to Time to let or relet all or any of the Tolls or Rates payable under the Provisions of this Act, for Terms not exceeding *Ten* nor less than *Five* Years, on such Conditions and with such Security for Payment of the Rent reserved on such 10 Lease, as the said Commissioners shall think fit, and the Commissioners of Her Majesty's Treasury shall from Time to Time approve. Commissioners may let the Tolls.

5. The Tolls payable under the Provisions of this Act, or the Rent payable upon any Lease thereof, shall be applied by the said Commissioners from Time to Time in repairing and maintaining the 15 said Harbour as the said Commissioners may think right. Application of Tolls and Rents of Lands.

6. It shall be lawful for the said Commissioners, in Cases in which such Tolls or Rates shall not be leased or let, and for the Lessees or Lessee of such Tolls or Rates if leased or let, from Time to Time to appoint sufficient Collectors and Officers or Agents for the Purpose 20 of receiving the Tolls and Rates payable under this Act; and in case any Person liable to pay such Tolls or Rates shall refuse or neglect to pay the same, it shall be lawful for the said Commissioners, or for the Lessees or Lessee of the said Tolls and Rates, or their Officer or Agent, or other Person to whom such Toll or Rate ought to have been paid, 25 to seize the Vessel, Goods, Articles, and Things, in respect of which such Tolls or Rates ought to have been paid, wherever the same may be found, and to detain the same until such Tolls or Rates, together with the reasonable Costs and Expenses of such Seizure and Detention, shall be paid; and if such Vessels, Goods, Articles, and Things 30 shall not be redeemed within *Twenty-one* Days after the Seizure thereof, the same shall be appraised and sold, and after deducting the Costs of such Seizure, Detention, and Sale, all such Sums as shall be due in respect of such Toll or Rates shall be satisfied thereout, and the Overplus paid to the Owner in like Manner as the Law directs 35 in Cases of Distress for Rent in arrear. Power of enforcing Payment of Tolls.

7. It shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, in addition to the Powers already vested in them, from Time to Time to make such Byelaws, Rules, Orders, and Regulations, not being contrary to 40 any Law or Statute in force in Ireland, as to them shall seem meet and proper, according to the Circumstances of every Case, Commissioners to make Byelaws.

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for better carrying into effect the Purposes of this Act, or in any Manner relating thereto, and from Time to Time to alter or repeal all or any of such Byelaws, Rules, Orders, or Regulations, and to make others, and to impose such Fines and Penalties, not exceeding the Sum of *Five Pounds*, upon all Persons offending against any of such Byelaws, Rules, Orders, or Regulations, as to the said Commissioners shall seem reasonable; and all such Byelaws, Rules, Orders, and Regulations shall be reduced into Writing, and signed by the said Commissioners, or any Two or more of them; and a Copy thereof, signed by the said Commissioners, shall be deposited with the Clerk of the Peace of the County of Dublin, and the same shall be kept with the Records of the said County; and a printed or painted Copy of such of the said Byelaws, Rules, Orders, or Regulations as shall subject any Person, not being an Officer or Servant of the said Commissioners, to any Fine or Penalty, shall be exhibited on Boards or otherwise within the Limits of the said Harbour; and such Byelaws, Rules, and Orders shall be binding upon and shall be observed by all Persons whomsoever: Provided, that all such Byelaws, Rules, Orders, and Regulations be approved of and confirmed by the Lord Lieutenant or other Chief Governor or Governors of Ireland in Council, by Writing under his or their Hands.

Copies of Byelaws to be Evidence.

8. Provided always, That in all Cases of Prosecution for any Offence or Offences against any of the Byelaws, Rules, Orders, and Regulations of the said Commissioners, the Production of a Book or Document purporting to contain the Byelaws, Rules, Orders, or Regulations of the said Commissioners, and authenticated by the Signatures of any Two or more of the said Commissioners, or by the Signature of their Secretary for the Time being, shall be conclusive Evidence of the Existence of such Byelaws, Rules, Orders, or Regulations.

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Howth Harbour.

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BILL

For the further Improvement of the Harbour of Howth.

(Prepared and brought in by Mr. Peel and Mr. Milner Gibson.)

Ordered, by The House of Commons, *to be Printed,* 18 *June* 1863.

[Bill 175.]

Under 1 *oz.*

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